

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL CASE NO: 5:22-cv-491-BO-RN

CRISTOBAL LOPEZ LOPEZ and GILBERTO)	
FLORES LOZANO, <i>on behalf of themselves and all</i>)	
<i>other similarly situated persons</i>)	
)	
Plaintiffs)	
v.)	
)	
BOYKIN FARMS, INC., RHODES FARMING,)	
LLC, WILLIE C. BOYKIN, III, MATTHEW Z.)	
RHODES, TONY D. LEE, d/b/a LEE AND SONS)	
FARMS, TONY CAMERON LEE, d/b/a LEE)	
AND SONS FARMS, and CLINT LEE, d/b/a LEE)	
AND SONS FARMS,)	
)	
Defendants.)	
)	

**JOINT MOTION FOR PRELIMINARY APPROVAL OF FLSA SETTLEMENT AND
CLASS SETTLEMENT, APPROVAL OF NOTICE PLAN, AND SCHEDULING OF
FINAL HEARING**

For the reasons set forth in Plaintiffs’ Memorandum of Law in Support of Plaintiffs’ Joint Motion for Preliminary Approval of the Parties’ FLSA Settlement and Class Settlement, Approval of Notice Plan, and Scheduling of Final Hearing, Plaintiffs Cristóbal Lopez Lopez and Gilberto Flores Lozano (“Class Representatives”) and Defendants Tony D. Lee, d/b/a Lee and Sons Farms, Tony Cameron Lee, d/b/a Lee and Sons Farms, and Clint Lee, d/b/a Lee and Sons Farms (the “Lee and Sons Defendants”) respectfully request, pursuant to Federal Rules of Civil Procedure 23(e) and (g), that the Court enter an Order:

1. Granting preliminary approval of the Settlement Agreement (attached as Exhibit 1) reached between Plaintiffs and the Lee and Sons Defendants;
2. Approving the settlement of the Fair Labor Standards Act claims of Class Representatives

and Opt-In Plaintiffs;

3. Approving the proposed Class Notice (attached as Exhibit 2) and Notice distribution plan, including the proposed deadline for opt-outs and objections; and
4. Scheduling a final approval hearing on the proposed Settlement Agreement.

This, the 19th day of December, 2025.

Respectfully submitted,

North Carolina Justice Center
P.O. Box 28068
Raleigh, NC 27611
(919) 856-2144 (tel)
(919) 856-2175 (fax)

/s/ Carol L. Brooke
Carol L. Brooke
N.C. Bar No. 29126
carol@ncjustice.org

/s/ Clermont Ripley
N.C. Bar No. 36761
clermont@ncjustice.org

Co-Counsel for Plaintiffs

Cranfill Sumner LLP
P.O. Box 27808
Raleigh, NC 27611-7808
Telephone: 919-828-5100

/s/ F. Marshall Wall
F. Marshall Wall
N.C. Bar No. 26804

/s/ Elizabeth C. King
Elizabeth C. King
N.C. Bar No. 26804

Higgins Benjamin, PLLC
301 N. Elm St., Suite 800
Greensboro, NC 27401
(336) 273-1600

/s/ Jonathan Wall
Jonathan Wall
N.C. Bar No. 22839

Co-Counsel for Plaintiffs

Attorneys for Defendants Tony D. Lee, Tony
Cameron Lee, and Clint Lee, d/b/a Lee and
Sons Farms

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served the original of the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing electronically to counsel for Defendants by email to the following e-mail addresses:

Elizabeth King, eking@cshlaw.com
Marshall Wall, mwall@cshlaw.com
Kieran Shanhan, kieran@shanahanlawgroup.com
Luther D. Starling, Jr., lewstarling@dwlslaw.com

This, the 19th day of December, 2025.

/s/Clermont F. Ripley
Attorney for Plaintiffs